



UPPER UWCHLAN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
October 19, 2015
7:00 p.m.
Approved

Attending:

Board of Supervisors

Kevin C. Kerr, Chair
Guy A. Donatelli, Vice-Chair
Catherine A. Tomlinson, Member

Township Administration

Cary B. Vargo, Township Manager
Gwen A. Jonik, Township Secretary
John DeMarco, Police Chief
Jill Bukata, Township Treasurer
Al Gaspari, Codes Administrator
Mike Heckman, Director of Public Works
Dave Leh, Township Engineer

Mr. Kerr called the meeting to order at 7:01 p.m., led the salute to the flag and offered a moment of silence.

Approval of Minutes

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to approve as presented the minutes of the September 8, 2015 Board of Supervisors Workshop. The Motion carried unanimously.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to approve as presented the minutes of the September 21, 2015 Board of Supervisors Meeting. Mr. Kerr abstained from the vote as he did not attend the September 21 meeting. The Motion carried with 2 in favor.

Approval of Payments

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to approve the payments to all vendors as listed. Mr. Donatelli abstained from the payment to the Chester County Solid Waste Authority as it is a client of his Firm. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported the Township's financial position remains strong, year-to-date revenues are at 84.1% of budget and expenses are at 78.0% of budget, earned income tax receipts are on target, and we are in receipt of the State's pension funding and Fire Relief payments. The Fire Relief funds will be distributed to the Fire Companies that serve the Township.

Supervisor's Report

Mr. Kerr advised an Executive Session was held September 21, 2015 regarding a legal matter.

Mr. Kerr announced that earlier this evening, the Supervisors met with Bill Quinn and Bob Phillips regarding their interest in volunteering on Township Boards/Commissions. Mrs. Tomlinson moved, seconded by Mr. Donatelli, to appoint Bill Quinn to the Municipal Authority and Bob Phillips to the Planning Commission, and to accept Bob Phillips' resignation from the Park & Recreation Board. The Motion carried unanimously.

Mr. Kerr read the following calendar: November 3, 2015 Election Day Polls open 7:00 AM - 8:00 PM; November 10, 2015, 4:00 PM Board of Supervisors / 2016 Budget Workshop; November 16, 2015 7:00 PM Board of Supervisors Meeting; November 26-27, 2015 Office Closed – Thanksgiving Holiday; Yard Waste Collections October 21, 28, November 4, 11, 18, 25 December 2 and 16 [Use open containers (no lids) or biodegradable bags as these materials are composted. Place materials curbside the night before.]

Administration Report

Township Engineer's Report

Dave Leh reported he attended a pre-construction meeting regarding Eagleview Lot 1. Hankin is not constructing the building at this time but will move ahead with the storm water management structures. Columbia Gas has completed their work at Upland Farm. The Township's contractor is readying the trails and parking area for paving within the next 2 weeks.

Steve McNaughton asked if Eagleview Lot 1 is going to complete all the storm water items and install the "buffer" plantings during this Phase. Dave Leh will check with Hankin and advise Mr. McNaughton.

Building and Codes Department Report

Al Gaspari reported that 41 building permits were issued in September, totaling \$7,000 in permit fees; the trees along the Upland Farm driveway were removed this week – they were rotting, broken, and unsafe. White oaks, a wider and sturdier tree, will be planted along the driveway in the spring; the Fellowship Fields Field House block work is nearing completion, the trusses can be set within the week, and we hope the Field House will be completed this winter.

Police Chief's Report

Chief DeMarco reported the Department received 1,267 calls; Officer Stiteler completed Motor Officer School, allowing him to patrol on motorcycle.

Public Works Department Report

Mike Heckman reported the Department has been completing preventive maintenance and repairs on all municipal vehicles; all roadway paving is done and a layer has been placed in a portion of the Hickory Park parking lot; snow removal equipment is being prepped; the Department has been painting the roadway arrows and legends and the Contractor will do long lines starting this week; storm water inlets are being inspected and repaired. Mr. Heckman reminded residents to inspect their mailboxes and posts at this time, prior to the first snowfall. The posts should be strong and located so the mailbox is 16"-18" behind the curb.

Steve McNaughton questioned the paving at Hickory Park. Mike Heckman advised an overlay was placed and Columbia Gas will repair the area they disturb and pay to remobilize our Contractor for the final course.

Land Development

Wawa Food Market Preliminary/Final Land Development Approval. James Bash, P.E., Dynamic Engineering presented a trash disposal enclosure project for the Wawa store located on Ticonderoga Boulevard, as follows: at the northeast corner of the building, construct an 8' high PVC fence enclosure, 14' x 23', which will contain an electric trash compactor and a recyclables dumpster. The project was reviewed and recommended for approval by the Township's Planning Commission. Any concerns that may arise through the building permit process will be addressed to the Township's satisfaction.

Mr. Kerr commented all trees and shrubs near the entrances and exits to the property should be kept trimmed. Mr. Donatelli moved, seconded by Mrs. Tomlinson, to grant Final Land Development Plan approval for the trash enclosure project at Wawa Store #201 as prepared by Dynamic Engineering and dated August 18, 2015, with the condition that the Applicant shall address to the Township's satisfaction any and all concerns that may arise as the project moves through the building permit process and during construction. The Motion carried unanimously.

ADMINISTRATION

Acceptance of Roadway Right-of-Way. Cary Vargo explained the Resolution before the Board is the reaffirmation of Rights-of-Way offered to the Township by the Vineyard Church and the Spackman Family during previous land development projects. We accepted the typical road

right-of-way along Fellowship Road and along State Route 401 at the time those projects were approved and would now like to accept the “ultimate” right-of-way in order to accommodate traffic signals and expanded intersection turn lanes, etc. at the intersection of State Route 401 (Conestoga Road) and Fellowship Road. The ultimate rights-of-way total 1.445 acres. Installation of a traffic signal at the intersection is to address safety concerns.

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to adopt Resolution #10-19-15-12 which accepts the Ultimate Road Rights-of-Way as depicted on the Final Land Development Plans of Vineyard Community Church, and Charles T. and Barbara Spackman. The Motion carried unanimously.

Economic Development Liquor License. Cary Vargo explained that a Resolution is before the Board which states the Board’s support of an Economic Development Liquor License specific to the Shryock Property, located at 770-780 Dorlan Mill Road, to encourage re-development of this property. The Resolution supports the Property Owner’s application to the State Liquor Control Board for a liquor license to be used at an establishment at that specific Property. The Board of Supervisors had previously reviewed and discussed the Owner’s plans for re-development of the Shryock Property and the Owner’s request for support toward a liquor license application.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to adopt Resolution #10-19-15-13, which states the Board of Supervisors’ support toward economic development as described above. The Motion carried unanimously.

Western Chester County Regional UCC Board of Appeals (WCCRUCAB) – Appoint Representatives. Al Gaspari advised that as a member of the WCCRUCAB, the Township needs to appoint 2 Representatives to participate in the Hearings. Mr. Gaspari nominated himself and Rhys Lloyd for appointment.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to appoint Al Gaspari as the Upper Uwchlan Township Representative and Rhys Lloyd as the Alternate Township Representative for the WCCRUCAB. The Motion carried unanimously.

Frame Property Sewage Facility Planning Module. Cary Vargo explained the Resolution before the Board authorizes the submission of the Frame Property’s Sewage Planning Module to the Pennsylvania Department of Environmental Protection for their review and approval. The Frame Property project is Toll Brothers’ proposed development of 61 single family homes on Little Conestoga Road.

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to adopt Resolution #10-19-15-14, authorizing submission of the Frame Property Sewage Planning Module to PaDEP. The Motion carried unanimously.

Consider and Approve Barbacane, Thornton & Company for 2015/2016 Audit Services. Cary Vargo advised that Barbacane Thornton has submitted Agreements to conduct the audits for 2015 and 2016 for the Township, Municipal Authority, Pension Plans, and the Tax Collector. Barbacane Thornton has been providing these services to the Township for several years and Mr. Vargo recommends executing the Agreements.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to approve the Agreements as described above. The Motion carried unanimously.

Authorize Advertisement of Bid Letting – Construction of Darrell Drive. Cary Vargo advised that the Township plans to construct Darrell Drive, previously known as the East/West Link, which connects Little Conestoga Road with Route 100 and Graphite Mine Road, through the Upland Farm property. The road will provide an alternate route between those roadways and will also

serve the Upland Farm Park. The road has been planned for over 10 years, estimated construction costs @ \$700,000, and the NPDES permit expires in April 2016. If the road isn't substantially complete by April 2016, the permit will expire and we'll have to include additional storm water management measures, which will raise the cost of the project. We plan to advertise the bid, which will be due late November, award the contract in December, for construction in the spring.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to advertise the Bid. The Motion carried unanimously.

Open Session

Frank Delio, Marsh Harbour resident, commented that a storm water basin recently built behind his house is not functioning properly and is affecting his and neighbors' foundations and deck post. He requests the Township's help in correcting the basin. Mr. Vargo advised he would contact Mr. Delio to discuss this in greater detail.

Residents of 175 Krauser Road asked the Township for support with Columbia Gas Pipeline regarding Columbia's lack of maintenance of their pipeline easement. Texas Eastern also runs through their neighborhood and they maintain their right-of-way/easement by mowing/brush cutting twice each year. Columbia's is so overgrown the markers aren't visible. Mr. Kerr asked Mr. Vargo to discuss this with Columbia.

Residents of 40 and 42 Meadow Creek Lane are extremely concerned with the Turnpike expansion impacting their back yards, and they've recently received notice that Sunoco wants to run a pipeline through their properties too. The Turnpike plans to take down the trees between their yards and the turnpike which wrecks their view and removes some sound barrier qualities. Additional land is needed for storm water management. They won't have any back yard left, and less than the 1 acre lot their property is zoned.

Steve McNaughton commented that the calculations for sound barriers are weighted by how many people/homes will be affected.

Mr. Donatelli advised that residents of Hoffman Circle have joined forces and have submitted letters to their State Legislators as the Township doesn't have as much influence as they do. Submit letters to Senator John Rafferty and Representative Becky Corbin. One of the residents asked what effect there'd be on the other entity between a Sunoco 50' easement for a pipeline and the Turnpike expansion. Mr. Donatelli believes FERC/Sunoco would take precedence over the State/Turnpike Commission.

The Meadow Creek residents inquired about the effects on their septic systems; would Sunoco drill under them? Mr. Vargo advised the residents to include in any Agreement that any damage to their septic system be covered by the Pipeline Company.

Adjournment

There being no further business to be brought before the Board, Mr. Kerr adjourned the Meeting at 7:58 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary